

Message Text

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ACTION DLOS-09

INFO OCT-02 ARA-14 ISO-00 ACDA-12 AGRE-00 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00

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H-02 INR-07 INT-05 IO-14 JUSE-00 L-03 NSAE-00

NSC-05 NSF-02 OES-07 OMB-01 PA-02 PM-05 PRS-01

SP-02 SS-15 USIA-15 /156 W

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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 0867

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E.O. 11652: NA

TAGS: PLOS

SUBJECT: LOS -PRESS RELEASE ISSUED BY VENEZUELA'S INSTITUTE OF
FOREIGN TRADE

1. ON JANUARY 19, THE INSTITUTE OF FOREIGN TRADE, AUTONOMOUS ORGAN WHICH IS THE MAJOR FOREIGN ECONOMIC POLICYMAKER WITHIN GOV, ISSUED A PRESS RELEASE ON LAW OF THE SEA ENTITLED, "VENEZUELA DEFENDS MARINE EXPLOITATION AS A RIGHT OF HUMANITY." PRESS RELEASE WAS MENTIONED IN PRESS OF SATURDAY, JANUARY 21, AND CARRIED, ALMOST IN ITS ENTIRETY, IN MAJOR MORNING DAILY ON JANUARY 23. EMBASSY OBTAINED COPY OF PRESS RELEASE ON JANUARY 23; INFORMAL TRANSLATION FOLLOWS:

2. BEGIN QUOTE: WITHIN THE CONVERSATIONS ON THE LOS GOING ON WITHIN THE UN, VENEZUELA DEFENDS THE POSITION THAT THE INTERNATIONAL DEEP SEABEDS AUTHORITY (AUTHORITY) BE THE ENTITY RESPONSIBLE BOTH DIRECTLY AND EFFECTIVELY FOR THE DEVELOPMENT OF THE ACTIVITIES OF THE EXPLOITATION OF THE DEEP SEABEDS SINCE THIS IS A COMMON PATRIMONY OF HUMANITY

DR. REINALDO FIGUEREDO PLANCHART, PRESIDENT OF THE INSTITUTE OF FOREIGN TRADE (ICE) ON GIVING THIS INFORMATION EXPLAINED THAT WHAT IS UNDERSTOOD AS THE INTERNATIONAL DEEP SEABEDS AUTHORITY IS THE
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INTERNATIONAL ORGANIZATION WHICH WILL HAVE AS ITS BASIC AND PRIMARY OBJECTIVE TAKING CARE OF, IN ALL THEIR JURIDICIAL, ECONOMIC AND SCIENTIFIC ASPECTS, ALL MATTERS CONCERNING THE EXPLOITATION OF THE RESOURCES OF THE MARINE BEDS.

THIS POSITION, ALSO DEFENDED BY THE OTHER DEVELOPING COUNTRIES, ESTABLISHES THAT THE ZONE RECOGNIZED AS THE COMMON PATRIMONY OF HUMANITY IS THE DEEP SEABEDS AND ALL THE RESOURCES CONTAINED NOT ONLY

ON THE SEABED BUT ALSO BENEATH IT.

THIS DEFINITION EXCLUDES THE COLUMN OF WATER AND THE SURFACE OF THE SEA REFERRING, THEREFORE, TO THE ZONE WHICH IS NOT SUBJECT TO THE NATIONAL JURISDICTION OF ANY STATE AND, THEREFORE, CANNOT BE APPROPRIATED BY ANY STATE.

THIS THESIS ESTABLISHES THAT THE EXPLOITATION OF THE RESOURCES OF THE ZONE OUGHT TO BENEFIT ALL OF HUMANITY, WHICH IMPLIES THE ESTABLISHMENT OF A COMMON ADMINISTRATION WHICH WILL GUARANTEE THAT SUCH EXPLOITATION TAKES PLACE IN A RATIONAL MANNER AND THAT THE BENEFITS ARE DISTRIBUTED EQUITABLY, ACHIEVING, AT THE SAME TIME, THE PRESERVATION OF THE MARINE ENVIRONMENT.

AT THIS MOMENT, ADDS THE ICE PRESIDENT, THE DISCUSSIONS REVOLVE AROUND

THE POWER WHICH THE AUTHORITY WILL HAVE SINCE ALL THE DEVELOPED COUNTRIES WISH THAT THE AUTHORITY SIMPLY BE AN ORGANIZATION SUPERVISING AND ADMINISTERING THE EXPLOITATION OF THE AREA, WHILE DEVELOPING COUNTRIES STATE THAT THIS ORGANIZATION OUGHT TO HAVE THE POWER TO ORGANIZE AND CONTROL ALL THE ACTIVITIES IN THE AREA, PARTICULARLY WITH RESPECT TO THE ADMINISTRATION OF THE RESOURCES OBTAINED FROM THE AREA.

FIGUEREDO EXPLAINED THAT IN ORDER TO BETTER HANDLE THE THEMES IN THE DISCUSSIONS ON THE LOS SO AS TO MORE EFFECTIVELY STUDY, ANALYZE AND NEGOTIATE, FOUR COMMISSIONS WERE CREATED ON WHICH EACH COUNTRY WORKS IN ORDER TO PRESENT ITS POSITION. FIGUEREDO EMPHASIZED THAT THE ICE ADVISES THE VENEZUELAN DELEGATION IN THOSE ASPECTS ASSIGNED TO THE FIRST COMMISSION WHICH CONCERN THE EXPLOITATION OF THE MINERAL

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RESOURCES OF THE DEEP SEABEDS AND THE FUNCTION WHICH THE AUTHORITY, STATES AND ENTERPRISES MUST CARRY OUT IN THE EXPLOITATION OF THE ZONE.

THE OTHER THREE COMMISSIONS ARE INVOLVED WITH: THE SECOND-GENERAL ASPECTS OF THE LAW OF THE SEA AND COVERS THE EXCLUSIVE ECONOMIC ZONE,

ACCESS TO THE SEA AND TRANSIT FOR LANDLOCKED STATES, THE CONTINENTAL SHELF, INTERNATIONAL STRAITS AND THE DELIMITATION OF MARITIME ZONES. THE THIRD COMMISSION IS RESPONSIBLE FOR THE STUDY OF THE PROTECTION OF THE MARINE ENVIRONMENT, SCIENTIFIC RESEARCH IN THE SEA AND THE DEVELOPMENT AND TRANSFER OF OCEAN TECHNOLOGY, WHILE THE FOURTH AND LAST COMMISSION IS CHARGED WITH ANALYZING THE SYSTEM FOR SOLVING CONTROVERSIES.

HISTORICAL ACCOUNT

MAKING A BRIEF HISTORICAL ACCOUNT OF THE NEGOTIATIONS TO DATE, DR. FIGUEREDO OBSERVED THAT THE THIRD CONFERENCE ON LAW OF THE SEA HAD ITS ORIGIN MIDWAY THROUGH THE DECADE OF THE 1960'S WITH A MANIFEST ANXIETY OF THE TWO GREAT POWERS TO PROTECT THEIR STRATEGIC

AND MILITARY INTERESTS AND MAINTAIN FREE TRANSIT ON THE OCEANS PARTICULARLY THROUGH INTERNATIONAL STRAITS.

THE SITUATION WHICH WAS BEGINNING TO EMERGE IN THOSE DAYS
CONTAINED ELEMENTS OF CONFLICT BECAUSE THE CONVENTION THEN IN FORCE,
SIGNED AT GENEVA IN 1958, HAD NOT INVOLVED A CONSIDERABLE NUMBER OF
COUNTRIES WHICH HAD ACQUIRED THEIR INDEPENDENCE AFTER THAT DATE.
THEREFORE, THE PREPARATORY MEETINGS OF THE CONFERENCE BETWEEN 1967 AND

1970 WERE, IN THIS WAY, CONDITIONED BY THE POLITICAL/MILITARY RIVALRY
THE TWO SUPER-POWERS.

IN HIS ACCOUNT, FIGUEREDO ADDS THAT OTHER ELEMENTS CONTRIBUTED TO
THE FORMULATION OF A NEW CRITERION OF WHAT OUGHT TO BE THE TRUE
LOS, AND HE ENUMERATED: INCESSANT TECHNOLOGICAL ADVANCES; THE
REAL POSSIBILITY OF EXPLOITING, IN THE SHORT TERM, THE IMMENSE
MINERAL AND ENERGY RESOURCES WHICH THE OCEANS CONTAIN AND THE GROWING

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AWARENESS ON THE PART OF DEVELOPING COUNTRIES OF THE IMPLICATIONS OF
THESE FACTS.

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FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 0868

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ON OBSERVING THAT IT SHOULD NOT BE SURPRISING THAT AFTER
FOUR YEARS OF LABORIOUS NEGOTIATIONS AN AGREEMENT, ACCEPTABLE TO
ALL INTERESTS, HAS NOT YET BEEN ACIEVED, FIGUEREDO POINTED OUT THAT
WE MUST RECALL THAT WHAT IS AT ISSUE IS THE REGULATION OF THE USE
AND EXPLOITATION OF A SURFACE CORRESPONDING TO TWO-THIRDS OFOUR

PLANET AND THEREFORE ALL THE NATIONS OF THEEARTH HAVE THE RIGHT TO STATE THEIR POSITION.

IT IS NO LONGER A QUESTION, AFFIRMS EMPHATICALLY THE ICE PRESIDENT, AS IT WAS AT THE END OF THE LAST CENTURY, OF CARVING UP THE AFRICAN CONTINENT AMONG A HANDFUL OF EUROPEAN COLONIALIST NATIONS. IN THIS CONFERENCE THE MULTIPLICITY OF OPPOSED INTERESTS OF THE 136 COUNTRIES THAT MAKE UP THE UN, AMONG-WHICH ARE CAPITALIST STATES, SOCIALIST STATES AND DEVELOPING STATES, MAKES DIFFICULT THE ACHIEVEMENT OF A COMPROMISE SOLUTION WHICH WOULD PERMIT FORMULATING THE JURIDICAL FRMEWORK FOR REGULATING THE EXPLOITATION OF THIS NEW ECONOMIC SPACE.

TO CONCLUDE, FUGUEREDO PLANCHART OBSERVED THAT ONE MUST BE VERY CAREFUL WITH DECISIONS TAKEN IN THE PRESENT NEGOTIATIONS BECAUSE FROM THEM WILL SPRING THE LAWS THAT WE MUST FOLLOW IN THE FUTURE TO MAINTAIN THE HARMONY BETWEEN NATIONS AND, AT THE SAME TIME,SO UNCLASSIFIED

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THAT WE MAY ALL HAVE ACCESS TO THE GOODS PRODUCED IN THE OCEANS WHICH ARE THE SOURCE OF IMMENSE RICHES WHICH HAVE BECOME THE HOPE OF LIFE FOR FUTURE END GENERATIONS. END QUOTE

3. COPY OF PRESS RELEASE POUCHED TO VENEZUELA DESK AND D/LOS, MR. JAMES.
VAKY

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